



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2308023
Applicant Name: Garrett Birkeland for Howland Homes
Address of Proposal: 16 Florentia St

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two (2) lots (unit lot subdivision). Proposed lot sizes are: A) 2332.9 square feet and B) 2168.1 square feet. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: establish use as and construct one single-family structure and occupy per plan all under MUP No. 2302855. It shall be noted that SEPA review was required and completed under MUP No. 2302855 and this Land Use action is covered by the previous SEPA review.

The following approval is required:

Short Subdivision - to subdivide one (1) existing parcel into two (2) lots as a unit lot subdivision. (Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

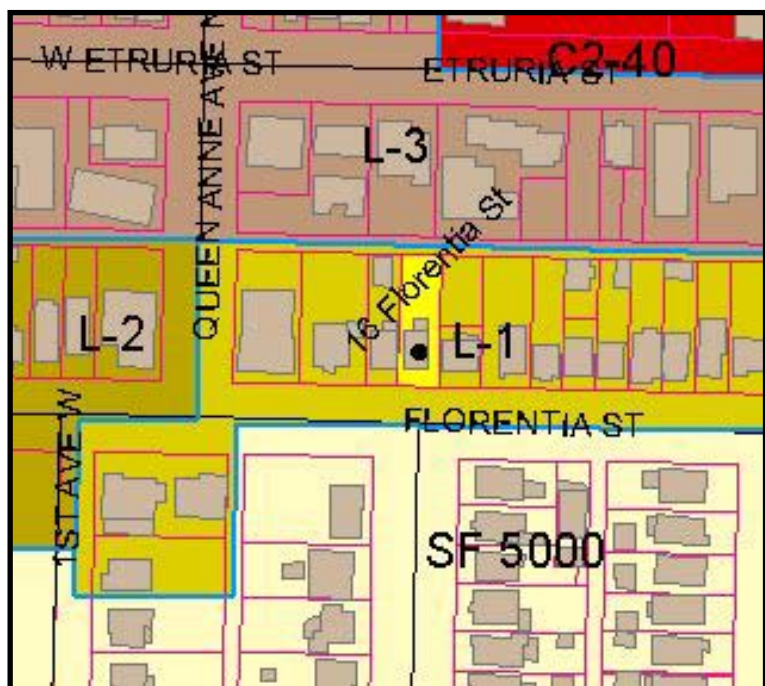
The approximately 4,500 square foot rectangular proposal site is located in a Multi-Family Residential Lowrise 1 (L-1) zone in between Etruria St. and Florentia St. The proposal site has approximately thirty-seven and one half (37.5') lineal feet of street frontage on Florentia St, which is a paved street with curbs, gutters and sidewalks. There is an improved alley adjacent to the site that provides vehicles access to the proposed structure. The site is vegetated with brush, grass, one (1) Ash and one (1) Cherry tree near the perimeter of the site. The site contains Potential Slide Environmentally Critical Areas (ECAs) as mapped and designated by the City of Seattle.

Area Development

Zoning in the vicinity is Multi-Family Residential Lowrise 1, 2 and 3 with single-family (SF 5000) zoning to the south. Development in the vicinity includes a mix of single and multifamily residences.

Proposal

The proposal is to subdivide one parcel into two (2) unit subdivision lots with vehicle access from Florentia St. for the existing structure which is to remain. Vehicle access for the proposed single-family residence will be provided via the improved adjacent (16') asphalt alley, which is accessible from both Warren Ave. N. and Queen Anne Ave. N. The new single-family unit will have parking located within the structure and parking for the existing single-family unit (to remain) is provided within the structure, accessed from Florentia St. Proposed lot sizes are as indicated in the summary above. Unit lot A has direct pedestrian access to Florentia St, which is paved & improved with sidewalks, a planter strip, concrete curbs, and gutters. Unit lot B will have direct pedestrian access to Florentia St. via a five (5) foot pedestrian access easement that spans the east five feet of the parent parcel.



Public Comments

The comment period for this proposal ended on December 24th 2003. During the public comment period, DPD received one written comment. The comments in the letter were related to parking, flow of traffic in the Queen Anne area and over subdividing of land in the Queen Anne area.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Department of Planning and Development, Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for multi-family Lowrise 1 (L1) use. The allowable density of the subject property is one unit per one-thousand six-hundred (1,600) square feet of lot area. Given a lot area of approximately 4,500 square feet, four (4) units are allowed and two (2) are proposed. Maximum lot coverage is (40%). Front setbacks are an average of the setbacks of the first principal structures on either side, the maximum required setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side setback is five (5) feet; the actual required setback is based on the structure depth and height of the facade adjacent to the side property line. Rear setback is twenty (20) feet or

twenty (20%) percent of the lot depth, in no case less than fifteen (15) feet, in this case the rear setback is twenty (20) feet measured from the centerline of the alley. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards. There is an existing deck on the existing structure on proposed unit lot A that will be cut back from 10' x 14' to 4.75' x 14 to meet open space and lot coverage requirements as approved under MUP No. 2302855.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#250313-4-036) to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on December 2nd, 2003 (WAC ID No 2003-1291). There is a standard ten (10) inch CIP water main located in Florentia St, which serves the site. There is a twenty-one (21) inch public combined sewer (PS) located in Florentia St that serves the development. Plan review requirements were made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with and will meet all minimum Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

The site contains a Landslide-Prone Environmentally Critical Area. The site is subject to Landslide-Prone Development Standard Requirements of SMC 25.09.080, "Development standards for Landslide-Prone areas."

To assure that future owners have constructive notice that the site contains an identified Landslide-Prone ECA, a note shall be placed on the final plat which discloses this. Additionally, the topographic survey submitted as a part of this application shall be attached to the final plat and recorded with this unit lot subdivision.

6. *Is designed to maximize the retention of existing tree;*

There are two (2) trees on site as evidenced by the required survey submitted at the time of this application, one 12" Ash tree and one 8" Cherry Tree. The Cherry tree was retained as is it is located far away from any proposed development. The Ash tree will be removed as it is located near the footprint of the proposed single-family residence. SMC 23.45.015 (C.1.b) requires that all new multifamily dwelling units plant or preserve on site trees. The lot size of the proposal requires that at least 4.8 caliper inches of trees be planted or preserved on site. The tree requirement was reviewed under MUP No. 2302855.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

One single family structure on the subject site is proposed to be developed. Pursuant to SMC 23.24.045(A&B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities; the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Policies and Code Provisions has been reviewed under MUP No. 2302855. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A and B are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas, driveway and pedestrian access if necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for unit lot subdivisions.

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two*

(2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.

This subdivision application is not a short subdivision but rather a unit lot subdivision, therefore this sections does not apply

Summary

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the Lowrise 1 (L1) zone, including setbacks, density, and structure width and depth, consistent with the provisions of SMC 23.24.045. However, the development when considered as a whole does meet all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements; fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Insert the following on the face of the plat: "This site includes designated Landslide-Prone areas and the Landslide-Prone Development Standards continue to apply to this site."
4. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision (#250313-4-036).
5. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this

subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”

6. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements, if necessary.
7. Provide an area to allow for the posting of address signage for unit lot B at a location visible from Florentia St. and provide a covenant and/or an easement to ensure that address signage can be maintained.

Signature: (signature on file) Date: February 12, 2004
Lucas DeHerrera, Land Use Planner
Department of Planning and Development
Land Use Services (RIC)

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